



CDSS

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DEPARTMENT OF SOCIAL SERVICES
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EDMUND G. BROWN JR.
GOVERNOR

July 11, 2011

Nick Macchione, Director
San Diego County Health & Human Services Agency
1255 Imperial Avenue, Rm 433, MS W414
San Diego, CA 92101

Dear Mr. Macchione:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided the reviewer from our office during the course of the Civil Rights Compliance Review of June 21-25, 2010. Enclosed is the final report on the review. We apologize for the delay.

There are some compliance issues (deficiencies) identified in the report, which will require the development of a corrective action plan (CAP). Please submit your CAP within sixty days of this letter. Please address each deficiency and include steps and time lines for the completion of all corrective actions and recommendations listed in the attached report.

We will provide a copy of our report to any individual who makes a valid Public Records Act (PRA) request. Our reports are considered public documents under the PRA. Once we approve your CAP, it becomes a public document as well. Per the Governor's Executive Order S-08-09, all compliance reviews (and corresponding CAPs) performed after January 1, 2008, will be posted on the state's Reporting Government Transparency website.

If you need technical assistance in the development of your CAP, please feel free to contact the Civil Rights Bureau at (916) 654-2107. You may also contact us by e-mail at crb@dss.ca.gov.

Sincerely,

JIM TASHIMA, Chief
Civil Rights Bureau
Human Rights and Community Services Division

Enclosure

c: Lora Guillen, Civil Rights Coordinator,

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**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
San Diego County Department of Social Services
Conducted on June 21-25, 2010**

**California Department of Social Services
Human Rights and Community Services Division
Civil Rights Bureau
744 P Street, M.S. 8-16-70
Sacramento, CA 95814
(916) 654-2107**

Reviewer

Elsa Garcia

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CIVIL RIGHTS COMPLIANCE REVIEW REPORT

I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff was to assess the San Diego County Health & Human Services Agency (HHSA) with regard to its compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

An on-site compliance review was conducted on June 25, 2010. An exit interview was held on June 21-25, 2010 to review the preliminary findings.

The review was conducted in the following locations:

Name of Facility	Address	Programs	Non-English languages spoken by a substantial number of clients (5% or more)
South Region Center	690 Oxford Street, Chula Vista	CalFRESH (formerly Food Stamps) CalWORKS	Spanish
North Central FRC	5055 Ruffin Blvd, San Diego	CalFRESH, Children Welfare Services	Spanish
Aging & Independence Services	1305 Union Plaza Court, Oceanside	IHSS, APS	Arabic Spanish Vietnamese
North Inland FRC	130 E. Alvarado, Fallbrook	CalFRESH (formerly Food Stamps) CalWORKS	Spanish
Balboa Fraud Office	9444 Balboa Avenue, San Diego	CalFRESH Fraud	Spanish

II. **SUMMARY OF METHODOLOGY**

In preparing for this review, CDSS staff completed the following tasks:

- Reviewed the 2009 Civil Rights Compliance Plan submitted by the County.
- Reviewed the civil rights discrimination complaint database for a complete listing of complaints filed against the County for the last year.
- Reviewed the previous Compliance Reviews and Corrective Action Plans submitted by the county.

Headquarters and on-site review procedures included:

- Interviews of public contact staff
- Survey of program managers
- Case file reviews
- Facility inspections

Each site/program was reviewed for compliance in the following areas:

- Dissemination of Information
- Facility Accessibility for Individuals with Disabilities
- Bilingual Staffing/Services for Non-English-Speaking Clients
- Accessibility for Clients with Visual or Hearing Impairments
- Documentation of Client Case Records
- Staff Development and Training
- Discrimination Complaint Procedures

Here is a summary of the sources of information used for the review:

Interviews Conducted of Public Contact Staff

Classifications	Total	Bilingual
Eligibility Workers	7	2
Children Social Workers	4	1
Adult Program Workers	3	1
Receptionist/Screeners	4	4
Total	18	8

Program Manager Surveys

Number of surveys distributed	6
Number of surveys received	6

Reviewed Case Files

English speakers' case files reviewed	4
Non-English or limited-English speakers' case files reviewed	221
Languages of clients' cases	Spanish, Tagalog, Arabic, Russian, Kurdish, Vietnamese, Cambodian, Cantonese, Japanese, Chinese, Albanian, Amharic, Korean, Somali

Sections III through VIII of this report contain specific Division 21 civil rights requirements and present field review findings regarding the county's compliance with each requirement. The report format first summarizes each requirement, then the actual review team findings, including appropriate comparisons. This format is an effort to validate the application of policies and procedures contained in the annual plan. Required corrective actions are stated at the end of each section.

Section IX reviews the county's compliance plan, and provides either approval of the plan as submitted, or lays out additional information to be submitted to gain approval.

Section X of the report is reserved for a declaration of overall compliance.

III. DISSEMINATION OF INFORMATION

Counties are required to disseminate information about program or program changes and about how applicants and recipients are protected by the CDSS regulations (Division 21). This dissemination should occur through outreach and information to all applicants, recipients, community organizations, and other interested persons, including non- and limited-English speakers and those with impaired hearing or vision or other disabling conditions.

A. Findings

Access to Services, Information and Outreach	Yes	No	Some-times	Comments
Does the county accommodate working clients by flexing their hours or allowing applications to be mailed in?	X			Clients can request an accommodation if needed. Clients can access applications on line and mail in.
Does the county have extended hours to accommodate clients?	X			At North Central FRC office hours are 6:45

				a.m. to 5:00 p.m. to accommodate working clients. At the Fallbrook Office, they are open 15 minutes early at 7:45 a.m. and also will remain open after business hours to assist clients if needed.
Can applicants access services when they cannot go to the office?	X			Clients can access services by phone calling the FRC phone line 211, or call the Agency Customer Service Center (ACCESS) and use the self-service feature and/or opt to speak to a representative. Client's can access services online, there are three web addresses available detailing programs offered and by mail.
Does the county ensure the awareness of available services for individuals in remote areas?	X			The county ensures awareness through Outreach and Education with Community Action Networks (CAN), and Community partners.

Signage, posters, pamphlets	Yes	No	Some-times	Comments
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13)?	X			
Is the pamphlet distributed and explained to each client at intake and re-certification?	X			Clients receive a Welcome packet upon their initial visit which includes the Pub 13. The Pub 13 is

Signage, posters, pamphlets	Yes	No	Some-times	Comments
				explained to clients at intake and recertification.
Is the current version of Pub 13 available in Arabic, Armenian Cambodian, Chinese, English, Farsi Hmong, Japanese, Korean, Lao Mien, Portuguese, Punjabi, Russian Spanish, Tagalog, Ukrainian, and Vietnamese?	X			
Was the Pub 13 available in large print (English and Spanish), audio and Braille?		X		The Pub 13 was not available in Braille or audio at 1305 Union Plaza Ct, Oceanside Office. The audio was not available at 690 Oxford St, Chula Vista.
Were the current versions of the required posters present in the lobbies?	X			
Did the workers know the location of the required posters with the Civil Rights Coordinator's name and address?	X			
Were there instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking clients translated into appropriate languages?		X		Instructional signage was not translated into the threshold language (Spanish) at 1305 Union Square Plaza Ct., Oceanside Office.

B. Corrective Actions

Informational Element	Corrective Action Required
Auxiliary aids	San Diego HHSA shall ensure the availability of large print, Braille, and auditory aids for participants in all of the programs for which CDSS has oversight responsibility. Div. 21-115.4

Informational Element	Corrective Action Required
Directional signage	San Diego HHSA shall ensure that instructional and directional signs are posted in waiting areas and other places that are frequented by clients and that where such areas are frequented by a substantial number of non-English-speaking clients, such signage shall be translated into appropriate languages. Div. 21-107.212 and .24

The county is required to use the latest version of each of the referenced documents. For your information, the most recent version for each of the above referenced documents is:

Pub 13	"Your Rights under California Welfare Programs"	03/07 or 03/10
Pub 86	"Everyone is Different, but Equal Under the Law"	03/07
Form AD 475B	"And Justice for All"	12/99

Contact the Civil Rights Bureau to receive the most recent versions, or download the Pub 13 from the CRB website http://www.dss.cahwnet.gov/civilrights/YourRights_498.htm.

IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

The Americans with Disabilities Act (ADA) requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from the services available. The federal regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable; in other words, easily accomplished and able to be carried out without much difficulty or expense.

The facility review is based on four priorities supported by the ADA regulations for planning achievable barrier removal projects. The priorities include ensuring accessible approach and entrance to the facility, access to goods and services, access to restrooms, and any other measures necessary.

Note that the references to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) in the Corrective Action column refer to the federal Standards for Design. Title 24 of California Code and Regulations (T24 CCR) is also cited because there are instances when California state law is stricter than ADAAG specifications.

The county must ensure that programs and activities are readily accessible to individuals with disabilities. This includes building accessibility and availability of accessible parking as well as accessibility of public telephones and restrooms.

Regulations cited are from the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

Findings and Corrective Actions

1. Facility Location: 690 Oxford Street, Chula Vista

Facility Element	Findings	Corrective Action
Parking	The "Unauthorized Parking signage" was present but not readable due to graffiti vandalism. Signage should be replaced.	Additional sign shall be posted in conspicuous place at entrances to off-street parking facilities, or adjacent to and visible from each space. Sign shall be 17" by 22" min. in size with lettering 1" min. high, stating: "Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____." (CA T24 1129B.5) p 133
	No "Minimum Fine \$250" signage below the ISA sign	For both posted and wall-mounted signage, additional language on symbol sign and an additional sign below the symbol sign shall state "Minimum Fine \$250.00." (CA T24 1129B.4.1) p 133
	Signage on pavement does not clearly depict a wheelchair w/occupant.	Pavement signage shall be 36" x 36" minimum, white on blue in color, visible and centered. (CA T24 1129B.4.1 & 2) p 133
	The words "No Parking" are not painted on pavement in access aisle	The words "NO PARKING" shall be painted on the ground in each 5' or 8' loading and

	in front of main entrance.	unloading access aisle in white letters no smaller than 12". (CA T24 1129B.3.2) p 135
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2. Facility Location: 1305 Union Plaza Court, Oceanside

Facility Element	Findings	Corrective Action
Parking	<p>No "Minimum Fine \$250" signage below the ISA sign.</p> <p>The access aisle needs "No Parking" repainted.</p>	<p>For both posted and wall-mounted signage, additional language on symbol sign and an additional sign below the symbol sign shall state "Minimum Fine \$250.00." (CA T24 1129B.4.1) p 133</p> <p>The words "NO PARKING" shall be painted on the ground in each 5' or 8' loading and unloading access aisle in white letters no smaller than 12". (CA T24 1129B.3.2) p 135</p>
Main entrance	<p>No ISA signage on main entrance door.</p> <p>Force to open door is excessive at 10 lbs (L) and 15 lbs (R).</p> <p>Door closed too quickly, before 3-seconds.</p>	<p>A sign with the international symbol of accessibility shall be at every primary entrance and every major junction indicating the direction along or to accessible features. (CA T24 1127B.3, ADA 4.1.3(16B), CA T24 1117B.5.1) pp 186, 394</p> <p>Force to open doors, exterior and interior is 5 pounds maximum. (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p 201</p> <p>Door Closer (if present) must be set so it takes at least 3 seconds to close from an open position of 70 degrees to a point 3" from the latch. (CA T24 1133B.2.5.1, ADA 4.13.10) p 205</p>

		of 2" in height, Grade 2 Braille, located 60" on center above the floor on the jamb panels on both sides of the door so that they are visible from within the elevator. (CA T24 1116.B.1.14, ADA 4.10.5) p 257
Men's Restroom	<p>Door sign is too high at 65".</p> <p>Force to open door is excessive at 15 lbs (1st door) and 16 lbs (2nd door).</p> <p>Pipes under sink are not securely insulated or covered.</p>	<p>Door sign and wall sign shall be 60" above the floor to the center line of sign.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p 281</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p 282</p> <p>Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p 201</p> <p>Hot water and drain pipes are insulated or covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.4.7.1, ADA 4.24.6) p 343</p>

	Toilet sheet protector is too high at 43".	If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA T24 1115B.8.3, ADA 4.23.7) p 294
Women's Restroom	Door sign is too high at 66".	Door sign and wall sign shall be 60" above the floor to the center line of sign. For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p 281 Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p 282
	Force to open door is excessive at 15 lbs (1 st door) and 17 lbs (2 nd door).	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p 201
	Pipes under sink are not securely insulated or covered.	Hot water and drain pipes are insulated or covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.4.7.1, ADA 4.24.6) p 343

	Toilet sheet protector is too high at 43".	If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA T24 1115B.8.3, ADA 4.23.7) p 294
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3. Facility Location: 130 E. Alvarado, Fallbrook

Facility Element	Findings	Corrective Action
Parking	No "Unauthorized Parking signage" at entrance from off street.	Additional sign shall be posted in conspicuous place at entrances to off-street parking facilities, or adjacent to and visible from each space. Sign shall be 17" by 22" min. in size with lettering 1" min. high, stating: "Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____." (CA T24 1129B.5) p 133
	In parking lot there are no accessible and/or Van accessible parking spaces provided.	Accessible parking spaces shall be located as near as practical to a primary entrance and shall have required spaces according to table. (CA T24 1129B.1, ADA 4.1.2(5)(a)) p 134

		<p>One in every 8 <i>accessible</i> spaces (no fewer than 1) shall be designated van accessible. (CA T24 1129B.3.2, ADA 4.1.2(5)(b)) p 136</p> <p>Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.3.1, ADA 4.6.3) p 135</p> <p>Each parking space for persons with disabilities shall be identified by a reflectorized sign permanently posted adjacent to and visible from each stall or space, consisting of the International Symbol of Accessibility in white on dark blue background.</p>
	No signage on pavement that clearly depicts a wheelchair w/occupant.	<p>The sign shall be 70 sp. in. min. and, when in a path of travel, shall be posted at a height of 80" min. from the bottom of the sign to the finished grade. (CA T24 1129B.) (ADA4.6.4) p133</p> <p>The surface of each accessible parking stall or space must have a surface identification duplicating either of the following schemes:</p> <ul style="list-style-type: none"> • By outlining or painting the stall or space in blue and outlining on the ground in the stall or space in white or suitable contrasting color a profile view depicting a wheelchair with occupant; OR • By outlining a profile view or a wheelchair with occupant in white on blue background.

		<p>The profile view shall be located so that it is visible to a traffic enforcement officer when a vehicle is properly parked in the space and shall be 36" by 36".</p> <p>Pavement signage shall be 36" x 36" minimum, white on blue in color, visible and centered. (CA T24 1129B.4.1 & 2) p 133</p>
	<p>There is no access aisle for loading or unloading, which should also have "No Parking" painted on pavement (letters min. 12" high)</p>	<p>The words "NO PARKING" shall be painted on the ground in each 5' or 8' loading and unloading access aisle in white letters no smaller than 12". (CA T24 1129B.3.2) p 135</p>
	<p>Parking is not located as close as possible to entrance.</p>	<p>Parking located on shortest accessible route. (CA T24 1129B.1.4, ADA 4.6.2(1)) p 134</p>
	<p>Persons with disabilities are forced to go behind cars.</p>	<p>Persons with disabilities shall not be forced to go behind parked cars except their own. (CA T24 1129B.3.3) p 134</p>
	<p>No access aisle connecting to the accessible path of travel</p>	<p>Access aisles (load and unload) must connect to the accessible path of travel, including curb cuts or ramps as needed. (CA T24 1129B.3.3, ADA 4.6.3) p 135</p>
		<p>Walkways minimum 48". (CA T24 1133B.7.1) p 160</p>
	<p>Main entrance has ramp slope which is too steep at 10.3%.</p>	<p>Slope of curb ramp does not exceed 1:12 (8.3% slope). (CA T24 1127B.5.3, ADA 4.8.2) p 155</p>

	Ramp landing is too narrow at 3'.	The minimum size of a top landing <u>width</u> is 60" (5'). The minimum landing <u>length</u> is 60". (CA T24 1133B.5.4.2, ADA 4.8.4.3) p 145
Main entrance	No ISA signage on main entrance door.	A sign with the international symbol of accessibility shall be at every primary entrance and every major junction indicating the direction along or to accessible features. (CA T24 1127B.3, ADA 4.1.3(16B), CA T24 1117B.5.1) pp 186, 394
	Force to open main entrance door is excessive at 20 lbs.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p 201
	Level landing is too short in length at 35".	Floor/Landing: There shall be a floor or landing on each side of the door, regardless of occupancy. Level and clear area in direction of door swing a minimum of 60" in length. Level and clear area in opposite direction of door swing minimum 48" in length. (CA T24 1133B.2.4.2, ADA 4.13.6) p 201
Client lobby	Counter is too high at 40".	Height of accessible tables or counters is between 28" – 34" from floor finish. (CA T24 1122B.4, ADA 4.32.4) p 388
Client Interview Room/Booths	No turnaround space in room for a person in a wheelchair.	Wheelchair Turning Space is a minimum space for a wheelchair to turn 180 degrees in a 60" diameter or T-shaped space. (CA T24 1118B.3, ADA 4.2.3) p 236
Water fountain	Drinking spout is too high at 40".	The spout is located within 6" of the front edge and 36" of the floor. The water stream is

		parallel to the front edge of the fountain. (CA T24 1117B.1.4, ADA 4.15.3) p 233
Men's Restroom	No door sign or wall sign adjacent to the latch side of the door.	<p>Door sign and wall sign shall be 60" above the floor to the center line of sign.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p 281</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p 282</p>
	Force to open door is excessive at 15 lbs.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p 201
	Pipes under sink are not securely insulated or covered.	Hot water and drain pipes are insulated or covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.4.7.1, ADA 4.24.6) p 343
	Mirror base is too high at 50".	If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height

		of 40". CA T24 1115B.8.3, ADA 4.23.7) p 294
Women's Restroom	No door or wall sign adjacent to the latch side of the door.	<p>Door sign and wall sign shall be 60" above the floor to the center line of sign.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p 281</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p 282</p>
	Force to open door is excessive at 15 lbs.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p 201
	Pipes under sink are not securely insulated or covered.	Hot water and drain pipes are insulated or covered. No sharp or abrasive surfaces under lavatories. (CA T24 1115B.4.7.1, ADA 4.24.6) p 343
	Mirror base is too high at 49".	If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including

		<p>coin slots, at a maximum height of 40". CA T24 1115B.8.3, ADA 4.23.7) p 294</p> <p>If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". CA T24 1115B.8.3, ADA 4.23.7) p 294</p>
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4. Facility Location: 5055 Ruffin Road, San Diego

Facility Element	Findings	Corrective Action
Parking	No proper signage for accessible parking spaces.	<p>Each parking space for persons with disabilities shall be identified by a reflectorized sign permanently posted adjacent to and visible from each stall or space, consisting of the International Symbol of Accessibility in white on dark blue background.</p> <p>The sign shall be 70 sp. in. min. and, when in a path of travel, shall be posted at a height of 80" min. from the bottom of the sign to the finished grade. (CA T24 1129B.) (ADA4.6.4) p133</p> <p>Sign height shall be 80" minimum from bottom of sign to top of finish grade. (CA T24 1129B.4.1, ADA 4.6.5) p 134</p> <p>Wall signage shall be centered 36" minimum above grade, ground, or sidewalk at the interior end of space. (CA T24 1129B.3.1) p 134</p>

	Accessible and Van accessible parking spaces are too short in length at 16'.	Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.3.1, ADA 4.6.3) p 135 Access aisles should be located on the passenger side of a space, and should be a min. of 18' long by 5" wide for aisles, serving car accessible spaces, and a min. 18' by 8' wide for aisles serving van accessible spaces. (CA T24 1129B.3.1) (ADA 4.6.3)
Main entrance	Force to open door is excessive at 17 lbs.	Interior Door will have 5 pounds maximum pressure. (CA T24 1133B.2.5, ADA 4.13.11(2)(b)) p 201
Instructional/Directional signage	Instructional signage posted on main entrance for service dogs not in threshold language(s).	All instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking applicants/recipients shall be translated into appropriate languages. Such signs, or an additional sign, shall state that applicants/recipients may request aid or services in their primary language. Div 21.107-212

V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES

Counties are required by Division 21 to ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English-speaking population and individuals with disabilities without undue delays. Counties are required to collect data on primary language and ethnic origin of applicants/recipients (identification of primary language must be done by the applicant/recipient).

Using this information, a county may determine 1) the number of public contact staff necessary to provide bilingual services, 2) the manner in which they can best provide interpreter services without bilingual staff and 3) the language needs of individual applicants/recipients. Counties must employ an appropriate number of certified bilingual public contact employees in each program and/or location that serves a substantial number of non-English-speaking persons. In offices where bilingual staff are not required because non-English-speaking persons do not represent a substantial number, counties must provide effective bilingual services through interpreter or other means. Counties must also provide auxiliary aids and services, including Braille material, taped text, qualified interpreters, large print materials, telecommunication devices for the deaf (TDD's), and other effective aids and services for persons with impaired hearing, speech, vision or manual skills. In addition, they must ensure that written materials be available in individuals' primary languages when the forms and materials are provided by CDSS, and that information inserted in notices of action (NOA) be in the individuals' primary language.

A. Findings from Program Manager Surveys, Staff Interviews and Case File Reviews

Question	Yes	No	Some-times	Comments
Does the county identify a client's language need upon first contact? How?	X			Clients are provided with an intake packet which includes a Language Needs Determination Form 2046.
Does the county use a primary language form?	X			Language Needs Determination Form 20-46
Does the client self-declare on this form?	X			
Are non-English- or limited- English-speaking clients provided bilingual services?	X			The county provides interpretive services through 2 bilingual lists: 1) Bilingual Paid HHSA Employees and 2) Self – identified Language Skills for HHSA Employees, and through other Language Availability Interpretation Service Providers.
After it has been determined that the client is limited-English or non-English speaking, is there a county process for	X			Clients are assigned to a bilingual worker and/or interpretive services are arranged through the office civil rights liaison.

Question	Yes	No	Some-times	Comments
procuring an interpreter?				
Is there a delay in providing services?		X		
Does the county have a language line provider, a county interpreter list, or any other interpreter process?	X			
Are county interpreters determined to be competent?	X			Bilingual staff is certified through a written and verbal testing process.
Does the county have adequate interpreter services?	X			
Does the county allow minors to be interpreters? If so, under what circumstances?		X		
Does the county allow the client to provide his or her own interpreter?	X			Clients are allowed to provide their own Interpreters; however they must sign and date Consent Form 20-49 HHSA Civil Rights Interpreters.
Does the county ensure that the client-provided interpreter understands what is being interpreted for the client?	X			The interpreter must sign and date Consent Form 20-49 HHSA Civil Rights Interpreters, acknowledging his/her confidentiality.
Does the county use the CDSS-translated forms in the clients' primary languages?	X			
Is the information that is to be inserted into NOA translated into the client's primary language?	X			

Question	Yes	No	Some-times	Comments
Does the county provide auxiliary aids and services, TDD's and other effective aids and services for persons with impaired hearing, speech, vision or manual skills, including Braille material, taped text, large print materials (besides the Pub 13)?		X		At 1305 Union Plaza Court, Oceanside Office the Pub 13 was not present in Braille format.
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	X			
Does the county offer screening for learning disabilities?	X			
Is there an established process for offering screening?	X			
Is the client identified as having a learning disability referred for evaluation?	X			

B. Corrective Actions

Area of Findings	Corrective Actions
Auxiliary Aids	San Diego HHSA County shall ensure the availability of auxiliary aids and services to persons who are deaf or hearing impaired, or persons with impaired speech, vision or manual skills where necessary to afford such persons an equal opportunity to access program services. Div 21-115.41

VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

Counties are required to ensure that case records document applicant's/recipient's ethnic origin and primary language, the method used to provide bilingual services, information that identifies an applicant/recipient as disabled, and an applicant's/recipient's request for auxiliary aids and services.

A. Findings from Case File Reviews and Staff Interviews

Documented Item	Children's Services	Adult Programs (IHSS & APS)	CalWORKs & Employment Services	CalFresh (formerly Food Stamps)
Ethnic origin documentation	CWS/ Language Determination Form 2046	SOC 295	SAWS	SAWS1
Primary language documentation	CWS/ Language Determination Form 2046	Case Narrative	Language Determination Form 2046	Language Determination Form 2046
Method of providing bilingual services and documentation	Language Determination Form 2046	Language Determination Form 2046	Language Determination Form 2046	Language Determination Form 2046-46
Client provided own interpreter	None found in case sample.	Case Narrative	HHSA Form 20-49	HHSA Form 20-49
Method to inform client of potential problem using own interpreter	None found in case sample.	HHSA Form 20-49	HHSA Form 20-49	HHSA Form 20-49
Release of information to Interpreter	None found in case sample.	HHSA Form 20-49	HHSA Form 20-49	HHSA Form 20-49
Individual's acceptance or refusal of written material offered in primary language	Language Determination Form 2046	Case Narrative	Language Determination Form 2046	Language Determination Form 2046

Documented Item	Children's Services	Adult Programs (IHSS & APS)	CalWORKs & Employment Services	CalFresh (formerly Food Stamps)
Documentation of minor used as interpreter	None found in case sample.	None found in case sample.	None found in case sample.	None found in case sample.
Documentation of circumstances for using minor interpreter temporarily	None found in case sample.	None found in case sample.	None found in case sample.	None found in case sample.
Translated notice of actions (NOA) contain translated inserts	CWS	Case file	CALWIN	CALWIN
Method of identifying client's disability	None found in case sample	Case narrative	Statement of Facts	Statement of Facts
Method of documenting a client's request for auxiliary aids and services	None found in case sample.	None found in case sample.	None found in case sample.	None found in case sample.

VII. STAFF DEVELOPMENT AND TRAINING

Counties are required to provide civil rights and cultural awareness training for all public contact employees, including familiarization with the discrimination complaint process and all other requirements of Division 21. The training should be included in orientation, as well as the continuing training programs.

A. Findings

Interview questions	Yes	No	Some-times	Comments
Do employees receive continued Division 21 Training?	X			All staff interviewed stated they receive continued Civil Rights training.

Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?	X			All staff interviewed understood the county's policy regarding a client's right to file a discrimination complaint.
Does the county provide employees Cultural Awareness Training?	X			
Do the CSW's have an understanding of MEPA (Multi-Ethnic Placement Act)?		X		CSW's did not have an understanding of MEPA, and could not remember receiving training on it.
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	X			All staff interviewed was aware of the predominant cultural groups in their area.

B. Corrective Actions

Training Area	Corrective Action
MEPA Training for Children's Social Workers	San Diego County HHSA shall ensure that CSW's receive MEPA training to ensure that public contact staff has knowledge of, and properly apply the placement prohibitions contained in MEPA. 42 U.S.C. 672, 674, and 1996(b)

VIII. DISCRIMINATION COMPLAINT PROCEDURES

Counties are required to maintain a process for addressing all complaints of discrimination. They must track complaints of discrimination through the use of a control log in which all relevant information is kept, including when the complaint was received, the name of the complainant, identifying numbers and programs, basis of discrimination, and resolution. It is usually the Civil Rights Coordinator responsibility to maintain this log.

A. Findings from Staff Interviews and Program Manager Surveys

Interview and review areas	Yes	No	Some-times	Findings
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?		X		Not all staff that was interviewed could differentiate between the three types of complaints: Discrimination, Program and Personnel.
Did the employees know who the Civil Rights Coordinator is?		X		Some staff seemed to be confused of knowing who the Civil Rights Coordinator was and/or the Civil Rights Liaison.
Did the employees know the location of the Civil Rights poster showing where the clients can file a discrimination complaint?	X			
When reviewing the complaint log, was it complete and up to date?	X			

B. Corrective Action

Element	Corrective Action
Discrimination Process	San Diego HHSA shall ensure staff have knowledge of the discrimination complaint process and are able to differentiate it from other complaint processes. Div. 21-117 and 21-203
Civil Rights Coordinator	San Diego HHSA shall ensure that staff is knowledgeable regarding contact information of the civil rights coordinator, at minimum, where the information can be located. Div 21-107.21 and 21-117

IX. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL

The San Diego Health and Human Services Agency Civil Rights Compliance Plan for 2010 was received on Nov 16, 2010. It is approved as submitted.

X. CONCLUSION

The CDSS reviewer found the San Diego County Health and Human Services Agency warm, welcoming, informative and very supportive. Particular thanks to Lora Guillen, Civil Rights Coordinator, for organizing the details of the review, and to John Peterson, and Dave Snyder, Facilities who assisted in each of the facility reviews. In each District Office, staff were very helpful with the facility reviews, case reviews, and computer assistance.

The CDSS found the San Diego Health and Human Service Agency in substantial compliance with CDSS Division 21 Regulations, and other applicable state and federal laws. County staff continues to reflect a commitment similar to that expressed by management with respect to ensuring access, assistance, and compliance.

The San Diego Health and Human Service Agency must remedy the deficiencies identified in this report by taking corrective actions. A corrective action plan must be received by CDSS within 60 days of the date of the cover letter to this report; and the plan must include a schedule of all actions that will be taken to correct the deficiencies, and an indication of who will be responsible for implementing the corrective action.

It is our intent that this report be used to create a positive interaction between the county and CDSS in identifying and correcting compliance violations and to provide the county with an opportunity to implement corrective action to achieve compliance with Division 21 regulations. Civil Rights staff is available to provide technical assistance as requested.